

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LARRY REESE §
VS § CASE NO. _____
§
JUNIOR JEAN BAPTISTE, J KOKE §
TRANSPORTATION, LLC, AND §
AL-NOOR EXPRESS, INC. §

NOTICE OF REMOVAL

Defendants JUNIOR JEANBAPTISTE and AL-NOOR EXPRESS, INC. (collectively, “Defendants”) file this Notice of Removal of the above-captioned case pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. This case is eligible for removal because there is complete diversity among the parties and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332.

I. FACTUAL AND PROCEDURAL HISTORY

This case arises out of a motor vehicle collision that occurred on August 13, 2022, in El Campo, Wharton County, Texas, between Plaintiff, Larry Reese, and Defendant Junior JeanBaptiste, who was employed and operating the vehicle on behalf of Defendants J Koke Transportation, LLC and Al-Noor Express, Inc. *See Exhibit A, Plaintiff’s Original Petition.* Plaintiff allegedly suffered personal injuries as a result of the accident.

Plaintiff filed suit on July 22, 2022, alleging various acts of negligence and gross negligence against Defendants. *See Exhibit A.* Defendants were served the same day, July 22, 2022. Defendants’ Original Answer is due August 22, 2022. As such, this Notice of Removal is timely.

II. BASIS FOR REMOVAL

Defendants file this Notice of Removal because (1) there is complete diversity of citizenship among the parties, and (2) the amount in controversy, according to Plaintiff's Original Petition, exceeds \$75,000. *See Exhibit A.*

Plaintiff is an individual domiciled in Harris County, Texas. *See Exhibit A.* As such, Plaintiff is a citizen of Texas for purposes of determining whether diversity of citizenship exists in the matter.

Defendant Junior JeanBaptiste is an individual who is domiciled in Orange County, Florida. *See Exhibit A and Exhibit B, Police Report.* As such, Defendant Baptiste is a citizen of Florida for purposes of determining diversity of citizenship.

J Koke Transportation, LLC is a limited liability company whose manager, Junior JeanBaptiste, is domiciled in Orange County, Florida. *See Exhibit A and Exhibit C, Articles of Organization.* As such, Defendant J Koke Transportation, LLC is a citizen of Florida for purposes of determining diversity of citizenship.

Defendant Al-Noor Express, Inc. is a corporation that was incorporated in Osceola County, Florida and whose principal place of business is located in Delaware County, Ohio. *See Exhibit A and Exhibit D, Articles of Incorporation.* As such, Defendant Al-Noor Express, Inc. is a citizen of Florida and Ohio for purposes of determining diversity of citizenship.

Finally, Plaintiff's Original Petition states that he is seeking monetary relief of over \$1,000,000. *See Exhibit A.* Because this amount exceeds \$75,000, this case satisfied the minimum amount in controversy requirements under 28 U.S.C. § 1332. Furthermore, because thirty days have not yet passed since Defendants received service of process, the deadline to remove this

action has not yet expired. Therefore, this case may be removed pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

III. CONCLUSION AND REQUEST FOR RELIEF

Removal of this case is proper pursuant to 28 U.S.C. 1332 because there is complete diversity between the parties, the amount in controversy exceeds \$75,000, and all defendants in this matter consent to removal.

FOR THESE REASONS, Defendants Junior JeanBaptiste and Al-Noor Express, Inc. respectfully tender their Notice of Removal and request the Court remove this case to federal court and for such other and further relief to which they may be justly entitled.

Respectfully submitted,

WALTERS, BALIDO & CRAIN, L.L.P.

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**ATTORNEYS FOR DEFENDANTS
JUNIOR JEANBAPTISTE AND
AL-NOOR EXPRESS, INC.**

CERTIFICATE OF SERVICE

This is to certify that on August 12, 2022, a true and correct copy of the above and foregoing document was served on all counsel of record in accordance with the Texas Rules of Civil Procedure.

/s/ William R. Rustam
William R. Rustam